

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JAMES L. DEAN,)	
Plaintiff,)	4:09CV3144
v.)	
RICHARD T. SMITH, et al.,)	
Defendants.)	
LOIS P. WHITE, as Personal Representative)	4:09CV3145
of the Estate of)	
Joseph White, deceased,)	
Plaintiff,)	
v.)	
COUNTY OF GAGE, NEBRASKA, et al.,)	
Defendants.)	
KATHLEEN A. GONZALEZ,)	4:09CV3146
Plaintiff,)	
v.)	
RICHARD T. SMITH, et al.,)	
Defendants.)	
THOMAS W. WINSLOW,)	4:09CV3147
Plaintiff,)	
v.)	
RICHARD T. SMITH, et al.,)	
Defendants.)	
ADA JOANN TAYLOR,)	4:09CV3148
Plaintiff,)	
v.)	
RICHARD T. SMITH, et al.,)	
Defendants.)	
DEBRA SHELDEN,)	4:11CV3099
Plaintiff,)	
v.)	
COUNTY OF GAGE, NEBRASKA, et al.,)	MEMORANDUM AND ORDER
Defendants.)	

After consultation with Herbert J. Friedman, Maren Lynn Chaloupka, Matthew K. Kosmicki, Robert F. Bartle, Jennifer M. Tomka, Patrick T. O'Brien and Melanie K. Whittamore-Mantzios regarding attorney fees and costs for responding to the petition for certiorari filed in the Supreme Court,¹

¹Douglas J. Stratton, on behalf of his firm, waived an appearance.

IT IS ORDERED that:

1. The motion for attorney fees (filing no. [723](#)²) is granted in part and denied in part. The plaintiffs Lois White, Thomas Winslow, Kathleen Gonzalez, and Ada JoAnn Taylor are awarded attorney fees of \$6,422.88 for the services of Douglas J. Stratton and \$4,245.00 for the services of Nathan J. Stratton to be attributed equally as between these plaintiffs. The application for attorney fees in the sum of \$26,125.00 is withdrawn.
2. The plaintiffs' motion for non-taxable costs (filing no. [726](#)) is granted. All the plaintiffs, and the law firm of Bartle Geir on their behalf, shall be reimbursed in the sum of \$1,203.91 for non-taxable costs.
3. The motion for attorney fees by the plaintiff James Dean (or his estate) (filing no. [732](#)) is granted in part and denied in part. The plaintiff James Dean (or his estate) is awarded attorney fees of \$2,625.00 for the services of Friedman Law Offices P.C., L.L.O. The application for costs is withdrawn.
4. A separate judgment will be issued.

April 4, 2019.

BY THE COURT:

s/ Richard G. Kopf

Senior United States District Judge

²The Clerk is advised that all filing numbers used in this Order are to Case No. 4:09CV3144. The Clerk is advised to file this Order in all cases and term the identical motions in those cases in accordance with this Order.